



# Town of Randolph

Town Hall  
41 South Main Street  
Randolph, MA 02368

## Meeting Minutes Town Council

---

Monday, September 21, 2015

7:00 PM

Chapin Hall  
Town Hall, 2nd Floor

---

### **SYS14-0102** Upcoming Agendas

#### **Call to Order - Roll Call - Pledge of Allegiance**

Councilor Fernandes called the meeting to order. Veteran Billy O'Connell led the Pledge of Allegiance.

**Present:** 9 - Council Member Paul J. Meoni, Council Member Jason R. Adams, Council Member William Alexopoulos, Council Vice President James F. Burgess Jr., Council President Paul K. Fernandes, Council Member Kenrick W. Clifton, Council Member Arthur G. Goldstein, Council Member Andrew Azer and Council Member Edward Gilbert

#### **Moment of Silent Prayer**

Moment of Silence observed for Kenneth Montgomery.

#### **Announcement from Council President**

Councilor Fernandes has completed the compilation and review of Town Manager's evaluations. Reviewed, developed consolidated report best he could, met with Town Manager to review. Place on next week's agenda as an item to publicly go over the evaluation.

### **SYS14-0283** Amvets Presentation of Check

Steven Dugan, MA State Commander of the Amvets, Billy O'Connell, Steven Nelson, Jr., Nicole Nelson, Mary Nelson, Mike Cirpus, Floyd Frances, Michael Cunningham, Veterans' Agent.

Steven Dugan - bittersweet, as lost Ken Montgomery this past week. Thank you to all branches of Amvets, Randolph Senior Center, local merchants who helped make recent fundraising event successful, and the residents of Randolph. Presented check in amount of \$5,300 to help meet local veterans' needs. Need help from everyone to thank and help men and women who have sacrificed so much.

Mr. Cunningham - unbelievable contribution. This was a great event. That day, they fed and clothed their neighbors, and made sure they won't be cold this winter. Very proud of what veterans' services department in this Town has done. All the money will stay in Town, and will be a huge help.

Councilor Burgess moved to accept the \$5,300 gift on behalf of the Randolph Military Services Committee, seconded by Councilor Gilbert. Vote 8-0 (Alexopoulos out of room).

### **Motions, Orders, and Resolutions**

**SYS14-0286** Minutes from the 8/24/15 meeting

Vote postponed until next meeting due to technical difficulties with Granicus.

**SYS14-0274** Correspondence

### **Public Comments**

None.

### **7:15 PM - Public Hearing**

None.

### **Town Manager's Report**

A) DEP did issue negative finding on TLA application. Extremely proud of way community galvanized in opposition. Great show of democracy in action, what people can do. Thank you to Commissioner Suuberg from DEP, took particular interest in the project, visited Town, met with officials at State House. Decision will be posted on Town website, reflects professionalism and thorough review of DEP. Very pleased with results. TLA may take additional steps, but this is a significant victory for Town.

B) This Sunday, 1pm, NESBA will be hosting a major high school band competition at RHS. When appropriation made for field, this is type of event had in mind. Eight bands competing, charge for adults, seniors, students, info on Town website.

C) Pavement Management - started at Centre Street today, accelerated schedule as contractors had a window, not as much notice as try to usually give. Fitch Terrace and Old Street being worked on right now. Continue as long as weather will cooperate.

D) Later tonight, request for appropriation for Fire Station. This week opened bids on Police Station renovations/construction. Low bidder has withdrawn, working with Project Manager, architects, etc. to determine where to go from here. More information as vet through information.

E) DPW Supt. Zecchini's retiring, have posted position. Posting available

on Town website, trying to cast a wide net, important position on leadership team.

F) Household Hazardous Waste Day on 10/17/15.

Councilor Adams - regarding low bidder withdrawing due to "errors", do we have any recourse? Yes, but likelihood of successful contest is low, court cases favor contractors, threshold for declaring errors very low. Time and effort not worth it in cost-benefit analysis.

Councilor Gilbert - thank you to Mr. Murphy, legislators, all for efforts against TLA Holbrook, really a huge victory.

## Old Business

Photos - need frames and a place to put them. Councilor Burgess - two proposals, one group photo, other is individual photos - came from photographer. Councilor Burgess will find email and forward to the Council.

### **SYS14-0156** Proposed Changes to the Town of Randolph Liquor Policy

Councilor Adams - Public Safety met last Thursday at 7pm in the Council office. Councilors Clifton and Adams were present, as well as attorney Griffin. Came back with a few changes and recommendations, mainly grammar and punctuation. Page 11, would like to add in definition of singles where banning of nips was. Didn't come to consensus on a definition. Page 12, with violations and penalties, Attorney Griffin had looked at other local communities' policies, and compared their offense policy to ours, use range of punishments for each offense.

Councilor Gilbert - went through this, met with Attorney Griffin on this, there a few things that are very open-ended, recommend we table voting for 1-2 more meetings until decide what definition is for a single, for beer, wine, and liquor.

Councilor Clifton - agree with Councilor Gilbert, intention of committee to raise issue, have Council at large provide some guidance so subcommittee can meet again with more specific direction.

Councilor Azer - Council met, discussed, directed to remove single, remove early closing, why bother coming back? This has been going on for nine months. Councilor Adams - did discuss all you mentioned, but if don't have definition of singles in policy, can't realistically enforce, haven't had that discussion with Council.

Councilor Burgess - not job of subcommittee to correct or fix language, job

is to make recommendation on something. Not charged with fixing, may not have met Council's approval, job is to look, to bring things forward, if there are suggestions, bring forward.

Councilor Alexopoulos - any input from Police Chief during subcommittee meeting? Councilor Adams - not at meeting. Attorney Griffin did consult with Chief earlier in year with redline changes, he was comfortable at the time. Two new things he hasn't commented on are definition of singles and changes to penalties and violations.

Councilor Clifton - clarify that subcommittee met for over an hour and a half, went through document line by line, made several corrections, suggestions to penalties, thought singles definition was germane to discussion, and that it would be useful for subcommittee to get further guidance from larger body.

Councilor Meoni- don't know what current policy is and proposed changes are, difficult to determine. Granicus doesn't show redline. Redline version was emailed when originally discussed, but that was months ago.

Councilor Fernandes - agree with Councilor Azer, should bring back suggestion and can modify. With suggestion, can modify, vote, etc.

Councilor Gilbert - ongoing issue at Ocean State Job Lot, desire to sell larger containers of craft beer, are they single-serve? Committee is trying to address, how to proceed.

Councilor Clifton - Councilor Gilbert is correct, that discussion took most of the time, struggled. Want to have some restrictions, but not be adverse to businesses in Town. Debated, couldn't come to conclusion, thought it would be useful to have larger discussion.

Councilor Adams - fully expected this to go back to subcommittee, hoped for suggestions. Discussed many angles, difficult to define.

Councilor Burgess - if concerned to send back to committee, put on agenda, discuss, and govern.

Councilor Fernandes - it's a matter of size and package, shouldn't be that difficult of a discussion.

Councilor Burgess - had discussion before, not that easy to define.

Councilor Azer - minutes from 1/12/15 - Councilor Goldstein stated on that date "Let's just discuss now." 9 months later, say the same thing. Issue

with singles off the table, already voted to remove.

Councilor Adams - policy against nips was removed. Referenced page 11 to see idea, would most likely put in definition section at beginning. Attorney Griffin emphasized importance of defining term that appears on license. Not a broad ban on singles, definition will be applied to licenses that prohibit sale of singles.

Councilor Meoni - to Councilor Azer's point, on 1/12/15, if voted changes, that should be reflected. Councilor Azer - not accepted as new policy though, just amended what was sent to committee.

Councilor Fernandes- 10/5/15, will discuss as Council, should have document with suggestions from subcommittee before us.

Councilor Gilbert - is that enough time? Attorney Griffin - complicated to define single, no right or wrong, will ultimately be in eye of Council. Councilor Gilbert - want to be sure it's the last time it comes forward.

Councilor Alexopoulos - should review other communities for definition of single, don't need to reinvent the wheel. Councilor Clifton - looked at several surrounding towns, very subjective.

#### **SYS14-0226 Home Rule Petition Updates**

Delegation continues to work hard to move petition forward. Today, amended version was enacted in House. Because the House made some minor formatting changes, the document has to go back to Senate, hopeful they will be able to quickly approve, changes were not to substance, just to form, hopefully signed and on agenda next Monday night.

#### **New Business**

Mr. Murphy - neglected to mention during Town Manager's report, sent email out last week, would like to nominate Steven Monteiro to Planning Board, Pam Iloabachie re-nominated to Conservation Commission. Councilor Clifton moved to ratify nominations, Councilor Goldstein seconded. Vote 9-0.

Councilor Burgess - coming up on the expiration of contract with Comcast cable in 2018, timetable for ascertainment process, determine whether to reengage. In past, cable advisory committee set up, should do that again to go through process. Ask legal counsel to give outline what should be doing.

#### **SYS14-0285 Order 2015-021 Approving Borrowing for the Fire Station**

Mr. Murphy - proud to present this Order tonight. Goes back number of

years. As presented back in July, this is for the North Randolph new station, identical to that presentation. Put project out to bid, received 10 bids, awarded to lowest bidder, JJ Cardosi out of RI, done number of projects in area, high DCAM rating, strong references. Goal is to award contract pending appropriation for construction. New station will be significant aesthetic and architectural improvement, better housing and distribution of apparatus. Requesting \$4.85 million appropriation.

Councilor Goldstein - how long bid good for? 30 days, thus need approval by 10/5/15 meeting.

Placed on agenda for 9/28/15 meeting.

Councilor Burgess requested copy of bid.

Councilor Goldstein - once new station finished, if sell old station, where do those funds go? Mr. Murphy - not sure. No plans to sell at this time. Mrs. Mehta - would be kept in separate account, can use to fund this project before borrowing.

Councilor Clifton - in addition to copy of bid, request copy of RFP. Mr. Murphy will provide both.

Councilor Meoni - this is the first of four major upcoming projects, any of them need to go to Finance Committee for review first? Councilor Fernandes - think we've reviewed each project enough. No Councilors disagreed.

## Correspondence

Attorney Griffin provided a disclosure of appearance of conflict of interest due to the fact that she is currently working on updating the Personnel Bylaws, some of which may affect her employment and the employment of her sister-in-law who works for the School Department. Councilor Goldstein moved to accept the disclosure, seconded by Councilor Gilbert.

Councilor Burgess - changes to Personnel Bylaws, are those approved only by Town Manager or also Town Council? Attorney Griffin - understanding from Charter is that Town Manager is now the Personnel Board, essentially. Mr. Murphy - first action council took upon its creation was relative to this topic, Council Order 2010-001. Attorney Griffin will review.

Vote 9-0 to accept the disclosure.

There is a marching band competition this Sunday, 9/27 at 1:00pm, at

RHS.

Item scheduled for 9/28/15 agenda regarding moving of lot line, received a letter from the Attorneys on the matter seeking to remove the item from the agenda, and they will contact the Council when they are prepared to come before the Council.

Reminder that there is a MetroSouth Legislative Reception at Stonehill College on 10/7/15 from 5:30 - 7:30.

Councilor Goldstein - met with a Stetson Hall trustee, mentioned there was trouble with a recent party at Stetson Hall, would like to get some further info on that. Mrs. Keane will request more info from Stetson Hall trustees and the RPD as appropriate.

## Committee Reports

Schools - Councilor Meoni - met 9/3 and 9/10, adopted new School Committee handbook. School Committee will host an Open House 10/15 at RCMS, Chair Ida Gordon and Ms. Robateau are coordinating, more details will follow. Update from Dr. Collie regarding transportation, purchased 3 vans for transportation of SPED students, hope to purchase more in future. Avoids \$250,000 in fees transporting SPED students. Policy subcommittee analyzed the School Committee reorganization policy, made a proposal to move the reorganization to the first meeting in January, currently occurs at an August meeting, School Committee voted no change to existing policy, thus will keep reorganization every August.

Councilor Clifton - regarding transportation and vans that were purchased, is this for children who are differently abled, or general school population - children who require programming the district cannot provide and are thus required to go to other communities for those services. Councilor Goldstein - were they purchased or leased? Purchased. New? Used but in very good condition. How many passengers? Believe 9.

Councilor Azer - why are we no longer getting the School Committee's packets, presentations? Is School Committee getting our packets? They are getting our packets. Agenda of School Committee continues to be developed by Chair and Superintendent, some time issues, haven't been receiving electronically. Have asked both Chair and Superintendent, and sent copy of what used to send Council, stated would like to have these presented every week.

Councilor Burgess - how many new employees hired for vans? Don't know, can get that info.

## Council Comments

Councilor Adams - congrats to Blue Devils, two big football wins.

Councilor Clifton - on 9/11 and 9/12, Caribbean children's author visited Randolph, very successful visits, made presentations to Young School and JFK, presented to community at Turner Free Library. Purpose was to use books and literary art to broaden minds of children. Thank you to Superintendent Anderson and Library Director Meaghan Thompson.

Councilor Meoni - students doing many things in communities, many sports in the Fall, encourage to visit website, check out all the Fall sports.

Councilor Burgess - RFP for Devine School awhile back, not presented because response not what we wanted, can we review responses to see what came in? Mr. Murphy - yes, will make sure placed in Council office. Thank you to Elks for great 9/11 event, very memorable. St. Mary's held another successful reverse drawing, congrats to them.

Councilor Goldstein - tomorrow night is Yom Kippur, Day of Atonement, ask for forgiveness from anyone he has offended.

Councilor Azer - echo that. Happy, healthy New Year to those celebrating. And an easy fast.

Councilor Gilbert - also at Amvets on 9/12, very nice event, appreciate their efforts. Amvets want to do presentation in October to dedicate a POW\*MIA Chair. Will get info on date soon. Progress with library renovation discussions with trustees are ongoing.

Councilor Clifton - question, are Library Trustee meetings open to public? Yes, absolutely.

## **Adjournment**

Councilor Goldstein moved to adjourn at 8:23, seconded by Councilor Clifton. Vote 9-0.